

REMARKS

Claims 1-10 and 15 are the claims currently pending in the Application.

Restriction

The Examiner withdraws from consideration claim 15 on the ground that claim 15 is directed to a mobile terminal which connects to an ad hoc network through another terminal, while presented claims 1-10 are directed to a mobile terminal which connects to an ad hoc or in infrastructure network, and therefore claim 15 has a separate utility from that of claims 1-10.

Claim 15 is amended to recite that the mobile terminal is configured to count, as a first count, ad hoc network advertisement messages, and to count, as a second count, infrastructure network advertisement messages, and to detect whether the mobile terminal is moved from at least one of the ad hoc network and infrastructure network based on the first count and the second count, as set forth in the attached Appendix. Therefore, claim 15 is now presented for prosecution and should now be substantively examined because claim 15 is believed not to be independent and distinct from the invention originally claimed.

This amendment of claim 15 is believed to be fully responsive to the Restriction. However, to the extent that the Examiner still maintains that claim 15 as amended is independent and distinct from the invention originally claimed, Applicant reserves the right to file a divisional application presenting claim 15 pursuant to the Examiner's statement of the constructive election by the Applicant of claims 1-10.

Rejection of Claims 1-3, 5-7 and 9 under 35 U.S.C. § 103

Claims 1-3, 5-7 and 9 are rejected under 35 U.S.C. § 103 as being obvious from Brewer et al., U.S. Patent No. 5,918,016 and Sharony, U. S. Patent No. 5,652,751.

Independent claims 1 and 2 are amended and are now believed to be allowable because they recite language that the Examiner stated was allowable.

Claims 3, 5-7 and 9 depend from independent claim 2 and thus incorporate novel and nonobvious features thereof. Therefore, claims 3, 5-7 and 9 are patentably distinguishable over the prior art for at least the reasons that independent claim 2 is patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,


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